

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**WILBERT COOLEY &  
KANDEE COOLEY,**

**Plaintiffs,**

**vs.**

**Case No.: 06-215**

**AMERIQUEST MORTGAGE COMPANY,  
a Delaware Corporation, HERITAGE TITLE, LLC,  
AND FICTITIOUS A – Z, inclusive,**

**Defendants.**

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**EXPEDITED MOTION BY PLAINTIFF  
TO EXTEND THE DEADLINE OF TO SUBMIT  
EXPERT DISCLOSURE STATEMENTS**

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**COMES NOW**, the Plaintiff, by and through counsel, and respectfully submits the following motion to extend the time for Plaintiff and Defendant to submit the Expert disclosure statement. As grounds the Plaintiff states the following:

1. The Court's scheduling order states that the Plaintiff's expert disclosure statement is due on March 2, 2007. The Defendant's expert disclosure statement is due on March 30<sup>th</sup>, 2007.
2. The Parties have both submitted and are expecting written discovery. Depositions have not begun, but will be conducted shortly by both parties.
3. Deposition testimony as well as written discovery is essential to the development of Expert disclosure statement. Thus far, neither has been adequately completed.

4. The Discovery deadline is not set to expire until June 1<sup>st</sup>, 2007. Plaintiff is not requesting that this date be changed.
5. A change in the expert disclosure deadline will not effect the discovery deadline or the trial date already set in this case.
6. Neither party will be unduly prejudiced are harmed by change in the expert disclosure deadline.
7. In fact, a change in the expert deadline will aid both parties in obtaining and presenting complete and objective reports, which are based on the discovery and sworn testimony in the cases and not just the uncorroborated statements of the parties, which can be obtained unilaterally.

**WHEREFORE**, with all premises considered, the Plaintiff respectfully prays that this Honorable Court will modify the expert disclosure statement for Plaintiff to April 6<sup>th</sup>, 2007 and Defendant May 7<sup>th</sup>, 2007. This will still give both parties the thirty days to depose the respective experts before the discovery deadline if the parties so choose.

Respectfully submitted,

/s/April England-Albright  
Counsel for the Plaintiff

**OF COUNSEL:**  
**Justice Group, Inc.**  
**April England-Albright**  
**116 Mabry Street**  
**Selma, Alabama 36701**  
**(334) 872-7589**

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing order has been served upon  
opposing counsel this the 8<sup>th</sup> day of February 2007 through ECF filing system upon:

Ms. Kay K. Houser  
Ms. Robin L. Beardsley  
**SIROTE & PERMUTT, P.C.**  
Post Office box 55727  
Birmingham, Alabama 35255-5727

**/s/April England-Albright**